

06-1168 JFB/KT

## CIVIL COVER SHEET

1168

BIANCO, J.

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

**I. (a) PLAINTIFFS**  
 ARTHUR SCALZO

**(b) County of Residence of First Listed Plaintiff** Suffolk, NY  
 (EXCEPT IN U.S. PLAINTIFF CASES)
**DEFENDANTS**

SAEILO, INC. d/b/a KAHR ARMS and AUTO ORDNANCE CORP. i/s/h/a KAHR ARMS

**County of Residence of First Listed Defendant** Worcester, MA  
 (IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.

**(c) Attorney's (Firm Name, Address, and Telephone Number)**  
 Jeffrey P. Falk, FALK & KLEBANOFF, P.C.  
 392 Woodfield Rd., West Hempstead, NY 11552

 FILED  
 IN CLERK'S OFFICE  
 U.S. DISTRICT COURT  
 E.D.N.Y.

MAR 15 2006

Attorneys (If Known)

 Christopher Renzulli, Douglas Bohn, Christopher Sovak,  
 RENZULLI LAW FIRM, LLP, 300 E. 42nd St., NY, NY 10017

**II. BASIS OF JURISDICTION** (Place an "X" in One Box Only)

|  |   |
|--|---|
| <input type="checkbox"/> 1 U.S. Government Plaintiff | <input type="checkbox"/> 3 Federal Question (U.S. Government Not a Party)                     |
| <input type="checkbox"/> 2 U.S. Government Defendant | <input checked="" type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III) |

**III. CITIZENSHIP OF PRINCIPAL PARTIES** (Place an "X" in One Box for Plaintiff and One Box for Defendant)

|   |  |                            |                                       |
|---|--|----------------------------|---------------------------------------|
| PTF   | DEF  | PTF                        | DEF                                   |
| <input checked="" type="checkbox"/> 1 Citizen of This State | <input type="checkbox"/> 1 Incorporated or Principal Place of Business In This State     | <input type="checkbox"/> 4 | <input type="checkbox"/> 4            |
| Citizen of Another State                                    | <input type="checkbox"/> 2 Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input checked="" type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country                     | <input type="checkbox"/> 3 Foreign Nation  | <input type="checkbox"/> 6 | <input type="checkbox"/> 6            |

**IV. NATURE OF SUIT** (Place an "X" in One Box Only)

| CONTRACT  | TORTS  | FORFEITURE/PENALTY  | BANKRUPTCY  | OTHER STATUTES   |
|---|--|---|---|--|
| <input type="checkbox"/> 110 Insurance  | <b>PERSONAL INJURY</b>   | <b>PERSONAL INJURY</b>  | <input type="checkbox"/> 610 Agriculture                            | <input type="checkbox"/> 400 State Reapportionment                                     |
| <input type="checkbox"/> 120 Marine   | <input type="checkbox"/> 310 Airplane                          | <input type="checkbox"/> 362 Personal Injury - Med. Malpractice             | <input type="checkbox"/> 422 Appeal 28 USC 158                      | <input type="checkbox"/> 410 Antitrust   |
| <input type="checkbox"/> 130 Miller Act   | <input type="checkbox"/> 315 Airplane Product Liability        | <input checked="" type="checkbox"/> 365 Personal Injury - Product Liability | <input type="checkbox"/> 423 Withdrawal 28 USC 157                  | <input type="checkbox"/> 430 Banks and Banking   |
| <input type="checkbox"/> 140 Negotiable Instrument                                | <input type="checkbox"/> 320 Assault, Libel & Slander          | <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability     | <b>PROPERTY RIGHTS</b>  | <input type="checkbox"/> 450 Commerce  |
| <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment    | <input type="checkbox"/> 330 Federal Employers' Liability      | <input type="checkbox"/> 370 Other Fraud                                    | <input type="checkbox"/> 460 Deportation                            | <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations            |
| <input type="checkbox"/> 151 Medicare Act   | <input type="checkbox"/> 340 Marine                            | <input type="checkbox"/> 371 Truth in Lending                               | <input type="checkbox"/> 480 Consumer Credit                        | <input type="checkbox"/> 490 Cable/Sat TV  |
| <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) | <input type="checkbox"/> 345 Marine Product Liability          | <input type="checkbox"/> 380 Other Personal Property Damage                 | <input type="checkbox"/> 510 Selective Service                      | <input type="checkbox"/> 810 Securities/Commodities Exchange                           |
| <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits        | <input type="checkbox"/> 350 Motor Vehicle                     | <input type="checkbox"/> 385 Property Damage Product Liability              | <input type="checkbox"/> 820 Copyrights                             | <input type="checkbox"/> 875 Customer Challenge 12 USC 3410                            |
| <input type="checkbox"/> 160 Stockholders' Suits                                  | <input type="checkbox"/> 355 Motor Vehicle Product Liability   | <input type="checkbox"/> 390 Other Personal Injury                          | <input type="checkbox"/> 830 Patent                                 | <input type="checkbox"/> 890 Other Statutory Actions                                   |
| <input type="checkbox"/> 190 Other Contract                                       | <input type="checkbox"/> 360 Other Personal Injury             | <input type="checkbox"/> 441 Voting   | <input type="checkbox"/> 840 Trademark                              | <input type="checkbox"/> 891 Agricultural Acts   |
| <input type="checkbox"/> 195 Contract Product Liability                           |  | <input type="checkbox"/> 442 Employment                                     | <b>SOCIAL SECURITY</b>  | <input type="checkbox"/> 892 Economic Stabilization Act                                |
| <input type="checkbox"/> 196 Franchise  |  | <input type="checkbox"/> 443 Housing/ Accommodations                        | <input type="checkbox"/> 710 Fair Labor Standards Act               | <input type="checkbox"/> 893 Environmental Matters                                     |
| <b>REAL PROPERTY</b>  | <b>CIVIL RIGHTS</b>  | <b>PRISONER PETITIONS</b>   | <input type="checkbox"/> 720 Labor/Mgmt. Relations                  | <input type="checkbox"/> 894 Energy Allocation Act                                     |
| <input type="checkbox"/> 210 Land Condemnation                                    | <input type="checkbox"/> 444 Welfare                           | <b>Habeas Corpus:</b>   | <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act | <input type="checkbox"/> 895 Freedom of Information Act                                |
| <input type="checkbox"/> 220 Foreclosure  | <input type="checkbox"/> 445 Amer. w/Disabilities - Employment | <input type="checkbox"/> 510 Motions to Vacate Sentence                     | <input type="checkbox"/> 740 Railway Labor Act                      | <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice |
| <input type="checkbox"/> 230 Rent Lease & Ejectment                               | <input type="checkbox"/> 446 Amer. w/Disabilities - Other      | <input type="checkbox"/> 530 General  | <input type="checkbox"/> 790 Other Labor Litigation                 | <input type="checkbox"/> 950 Constitutionality of State Statutes                       |
| <input type="checkbox"/> 240 Torts to Land  | <input type="checkbox"/> 440 Other Civil Rights                | <input type="checkbox"/> 535 Death Penalty                                  | <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act           |  |
| <input type="checkbox"/> 245 Tort Product Liability                               |  | <input type="checkbox"/> 540 Mandamus & Other                               |   |  |
| <input type="checkbox"/> 290 All Other Real Property                              |  | <input type="checkbox"/> 550 Civil Rights                                   |   |  |
|   |  | <input type="checkbox"/> 555 Prison Condition                               |   |  |

**V. ORIGIN**

(Place an "X" in One Box Only)

|  |  |  |   |  |   |  |
|--|--|--|---|--|---|--|
| <input type="checkbox"/> 1 Original Proceeding | <input checked="" type="checkbox"/> 2 Removed from State Court | <input type="checkbox"/> 3 Remanded from Appellate Court | <input type="checkbox"/> 4 Reinstated or Reopened | <input type="checkbox"/> 5 Transferred from another district (specify) | <input type="checkbox"/> 6 Multidistrict Litigation | <input type="checkbox"/> 7 Appeal to District Judge from Magistrate Judgment |
|--|--|--|---|--|---|--|

**VI. CAUSE OF ACTION**
Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):  
28 U.S.C. 1332Brief description of cause:  
Plaintiff has yet to file complaint
**VII. REQUESTED IN COMPLAINT:**
 CHECK IF THIS IS A CLASS ACTION  
UNDER F.R.C.P. 23

## DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND:  Yes  No
**VIII. RELATED CASE(S) IF ANY**

(See instructions):

JUDGE N/A

DOCKET NUMBER N/A

 DATE 3/14/06 SIGNATURE OF ATTORNEY OF RECORD JMB  
 FOR OFFICE USE ONLY

RECEIPT # \_\_\_\_\_ AMOUNT \_\_\_\_\_ APPLYING IFP \_\_\_\_\_ JUDGE \_\_\_\_\_ MAG. JUDGE \_\_\_\_\_

## ARBITRATION CERTIFICATION

I, \_\_\_\_\_, counsel for \_\_\_\_\_, do hereby certify pursuant to the Local Arbitration Rule 83.10 that to the best of my knowledge and belief the damages recoverable in the above captioned civil action exceed the sum of \$150,000 exclusive of interest and costs.

Relief other than monetary damages is sought.

## **DISCLOSURE STATEMENT - FEDERAL RULES CIVIL PROCEDURE 7.1**

Identify any parent corporation and any publicly held corporation that owns 10% or more or its stocks:

Saeilo Enterprises, Inc.: No publicly held company owns 10% or more of defendant's stocks.

Did the cause arise in Nassau or Suffolk County? Yes

If answered yes, please indicate which county. **Suffolk**

County of residence of plaintiff(s) (1) Suffolk, NY  
(2) \_\_\_\_\_  
(3) \_\_\_\_\_

County of residence of defendant(s) (1) Worcester, MA  
(2) \_\_\_\_\_  
(3) \_\_\_\_\_

**I am currently admitted in the Eastern District of New York and currently a member in good standing of the bar of this court.**

Yes

No

**Are you currently the subject of any disciplinary action(s) in this or any other state or federal court?**

Yes (If yes, please explain)

No ✓

Please provide your E-MAIL Address and bar code below. Your bar code consists of the initials of your first and last name and the last four digits of your social security number or any other four digit number registered by the attorney with the Clerk of Court.

(This information must be provided pursuant to local rule 11.1(b) of the civil rules).

ATTORNEY BAR CODE: DB4618

**E-MAIL Address:** dbohn@renzullilaw.com

I consent to the use of electronic filing procedures adopted by the Court in Administrative Order No. 97-12, "In re Electronic Filing Procedures(EFP)", and consent to the electronic service of all papers.

Signature: 

In re Electronic Filing Procedures (E)